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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/822,744 | 04/13/2004 | Yong-Yu Lin | MR3287-14 | 4600 |

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ELLICOTT CITY, MD 21043

EXAMINER

TANG, SON M

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/822,744

Applicant(s)

LIN, YONG-YU

Examiner

Son M. Tang

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the front braking indicator light mounted on the hood must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims ¹⁻²1 and 4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 3 "a front braking..." should be "the or said front braking..." and line 8, "a control unit ..." is this unit different to "a braking control unit" above? According to specification and Fig. 3, it appears that a control unit 422 and a braking control unit 42 are the same unit.

3. Claims 3 and 4 recite the limitations in claim 3, "the head rim" line 3 and in claim 4 "the hood" in line 11. There is insufficient antecedent basis for this limitation in the claim.

4. Claim 2, applicant claimed "a back side of the rear-view mirror is use to locate the base of the front braking indicator light" it is unclear of how many front braking indicator light is in the system? The drawing shows only one front braking indicator light on the rear-view mirror that mounted inside the windshield, the drawing does not show indicator light located on the hood, and nowhere in the disclosure shows two front braking indicator lights.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims **1-2 and 4** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno [US 5,016,996] in view of Adell [US 5,237,306].

Regarding claims 1-2: Ueno discloses a front braking indicator light (10e) mounted on a rear-view mirror (3 and 4) Fig. 1-2 of a vehicle, said vehicle is inherently includes a body, a set of wheels, a hood, a trunk lid, a left door side, a right door side all these surround a seating space and a braking control unit includes a brake slowing down wheels and said braking control unit set upon the body to connect with a front braking indicator light (10e), a control unit (28) co-acting with the brake synchronously, wherein said front braking indicator light is comprised of a base (1) and a transparent shade (met by a filter lens 15) covering on the base [shown in Fig. 1-4, col. 3, lines 37-52], Ueno does not specifically disclose that the braking indicator light is mounted on the hood of the vehicle. Adell teaches a front signaling light (90) been mounted on the hood (91) of a vehicle [see Fig. 7-9 and col. 8, lines 11-22]. Since braking indicator light is a form of a signaling light, therefore, it would have been obvious of one having ordinary skill in the art at the time of the claimed invention, to mount a front braking indicator light on the hood of a vehicle as suggested by Adell as for the purpose of an alternative desire location.

Regarding claim 4: Ueno discloses a front braking indicator light (10e) mounted on a rear-view mirror (3 and 4) Fig. 1-2 of a vehicle, said vehicle is inherently includes a body, a set of wheels, a handlebar steering, a head face, a tail, a left side, a right side, a seat set upon the top of the middle portion of the vehicle and a braking control unit includes a brake slowing down wheels and said braking control unit set upon the body to connect with a front braking indicator light (10e), a control unit (28) synchronously acting with the brake, wherein said front braking indicator light is comprised of a base (1) and a transparent shade (met by a filter lens 15) covering on the base [shown in Fig. 1-4, col. 3, lines 37-52], Ueno does not specifically disclose

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that the braking indicator light mounted on the hood of the vehicle. Adell teaches a front signaling light (90) is mounted on the hood (91) of a vehicle [see Fig. 7-9 and col. 8, lines 11-22], since braking indicator light is a form of a signaling light. Therefore, it would have been obvious of one having ordinary skill in the art at the time of the claimed invention, to mount a front braking indicator light on the hood of a vehicle as suggested by Adell as for the purpose of an alternative desire location.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno in view of Adell in claim 1 above, and further in view of Walton [US 5,844,479].

Regarding claim 3: Ueno and Adell discloses all the limitations as described above, except for not specifically disclose that the front braking indicator light is located above the front fender, Walton teaches an automobile front and side brake light comprising a front braking indicator light (10) is located above the front fender [see Fig. 5 and 3, col. 4, lines 51-67]. It would have been obvious of one having ordinary skill in the art at the time of the claimed invention, to locate the front braking indicator light above the front fender as suggested by Walton, in order to provide signaling visual to the approaching vehicle or pedestrian from a front and the sides.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Berto [US 6,308,590] discloses brake light 20 mounted on handlebar of vehicle [col. 4, lines 62-67], Veach [US 6,864,787], Pitcher [US 5,680,101], Davis [US 5,788,358], Hall [US 6,690,272] and Santa Cruz et al. [US 2002/0130773].

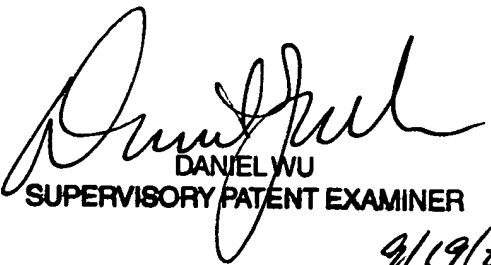
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son M. Tang whose telephone number is (571)272-2962. The examiner can normally be reached on 4/9 First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571)272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Son Tang


DANIEL WU
SUPERVISORY PATENT EXAMINER
9/19/05